



CRL OP(MD). No.22834 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Kamalesh

... Petitioner / Accused Unknown

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thirunagar Police Station,
Madurai,
Madurai District.
(Crime No.425 of 2024)

... Respondent/Complainant

For Petitioner : Mr.C.Deepak,Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 425 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



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for the alleged offences under Sections 3(2)(a), 4(2)(c), 5(1)(d) and 6(1)(b) of Immoral Traffic (Prevention) Act, 1956 and Section 3, 4, 5, 6 and 8 of ITP Act and under Section 144(1) of BNS and Section 16 read with Section 17 read with Section 4 of POCSO Act, in Crime No.425 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that in the name of running a spa, a brothel was being run by the accused persons. Three ladies were rescued in this case. Out of which, one was a minor girl. There are totally eight accused persons in this case and the petitioner has been arrayed as A3.

3. The learned Government Advocate (Crl. Side) on instructions submitted that the victim girl and the two ladies have been rescued and they have been kept in home. The statement recorded under Section 164 of Cr.P.C., was also placed before this Court. He further submitted that there are no previous cases against the petitioner.

4. Heard the learned counsel on either side and perused the material records of the case.

5. Taking into consideration the facts and circumstances of the case and considering the fact that A1 and A5 have been enlarged on bail by this Court and A2 was granted anticipatory bail by this Court in Crl.O.P(MD).No.20915 of 2024 by an



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order 03.12.2024 and considering the fact that there are no previous cases against the petitioner and also considering that the victim girl and the two ladies have been taken to safe custody, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.6, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Friday at 5.30 p.m. for a period of 6 weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during



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investigation or trial.

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[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
02/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SMA

To

1.The Judicial Magistrate No.VI,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.



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3.The Inspector of Police,
Thirunagar Police Station,
Madurai, Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.DEEPAK, Advocate (SR-8[I] dated 02/01/2025)

ORDER
IN
CRL OP(MD) No.22834 of 2024
Date :02/01/2025

ED/ SKN /SAR- (08/01/2025) 5P / 6C

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